

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, JACKSONVILLE DIVISION

Dravian Dravius Darvin Byrd v. Department of Corrections

Byrd v. Department of Corrections · No. 3:25-cv-1416-JEP-PDB · Decided November 21, 2025

SUMMARY

The United States District Court for the Middle District of Florida dismissed without prejudice an inmate’s 42 U.S.C. § 1983 action against the Florida Department of Corrections. The court held that the FDC is not a “person” subject to monetary liability under § 1983 and directed the Clerk to close the case while allowing the plaintiff to file a new action against an appropriate defendant.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Jacksonville Division
WRITING FOR THE COURT	Jordan E. Pratt
JURISDICTION	United States District Court for the Middle District of Florida, Jacksonville Division
DECIDED	November 21, 2025
DOCKET	3:25-cv-1416-JEP-PDB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se prisoner civil-rights action under 42 U.S.C. § 1983; transferred from the Northern District of Florida and dismissed without prejudice during mandatory PLRA screening.
STANDARD OF REVIEW	The court applied the Rule 12(b)(6) plausibility standard in conducting PLRA screening, accepting well-pleaded factual allegations as true, liberally construing the pro se complaint, and disregarding legal conclusions.
PRECEDENTIAL VALUE	unpublished
PARTIES	Dravian Dravius Darvin Byrd v. Department of Corrections

TOPICS

- section 1983
- prisoners rights
- motions to dismiss
- civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the complaint stated a plausible claim under 42 U.S.C. § 1983 against the Florida Department of Corrections.
2. Whether the Florida Department of Corrections is a person subject to monetary liability under 42 U.S.C. § 1983.
3. Whether dismissal under the Prison Litigation Reform Act should be without prejudice.

HOLDINGS

1. The complaint failed to state a plausible claim for relief because it sought damages from the Florida Department of Corrections, an entity that is not a person subject to monetary liability under § 1983.
2. The court was required to dismiss the complaint because it failed to state a claim on which relief could be granted and the damages claim against the Florida Department of Corrections was frivolous.
3. Dismissal was without prejudice, permitting Plaintiff to initiate a new action asserting plausible claims against a proper person defendant.

KEY QUOTATIONS

“To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” (2)

“The state of Florida, including a state agency such as the FDC, is not a person subject to monetary liability under § 1983.” (2)

“Because a claim for damages against the FDC is “frivolous,” see Gardner, 444 F. App’x at 355, this case will be dismissed without prejudice subject to Plaintiff’s right to initiate a new case if he wants to proceed on any plausible claim(s) against a “person.”” (3)

FACTUAL BACKGROUND

Plaintiff, an inmate in the custody of the Florida Department of Corrections, alleged that a corrections officer ignored his statement that he was having suicidal thoughts, struck him in the stomach and face, and threatened him. He sought damages under 42 U.S.C. § 1983. He named only the Florida Department of Corrections as a defendant and did not name the alleged corrections officer.

PROCEDURAL HISTORY

Plaintiff filed a pro se § 1983 complaint and an application to proceed in forma pauperis in the Northern District of Florida. The Northern District transferred the action to the Middle District because the alleged incident occurred at the Reception and Medical Center in Lake Butler, Florida. After screening under the PLRA, the court dismissed the complaint without prejudice because Plaintiff named only the Florida Department of Corrections, which is not a person subject to monetary liability under § 1983.

DISPOSITION

dismissed

CASES CITED

- Mitchell v. Farcass, 112 F.3d 1483, 1490 (11th Cir. 1997)
- Alba v. Montford, 517 F.3d 1249, 1252 (11th Cir. 2008)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Roe v. Aware Woman Center for Choice, Inc., 253 F.3d 678, 683 (11th Cir. 2001)
- In re Plywood Antitrust Litigation, 655 F.2d 627, 641 (5th Cir. Unit A Sept. 8, 1981)
- Gardner v. Riska, 444 F. App'x 353, 355 (11th Cir. 2011)
- Will v. Michigan Department of State Police, 491 U.S. 58, 71 (1989)
- McNamara v. GEICO, 30 F.4th 1055, 1061 (11th Cir. 2022)

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA JACKSONVILLE
DIVISION DRAVIAN DRAVIUS DARVIN BYRD, Plaintiff, v. Case No. 3:25-cv-1416-JEP-PDB
DEPARTMENT OF CORRECTIONS, Defendant. _____

ORDER OF DISMISSAL WITHOUT PREJUDICE Plaintiff, an inmate of the Florida Department of Corrections (FDC), initiated this action in the Northern District by filing a pro se Complaint for the Violation of Civil Rights under 42 U.S.C. § 1983 (Doc.

1), along with a request to proceed as a pauper (Doc. 2). Because Plaintiff complains about an incident that occurred at the Reception and Medical Center in Lake Butler, Florida, the Northern District transferred the case here. See Doc. 4.

In his Complaint, Plaintiff alleges a corrections officer ignored him when he expressed he was having suicidal thoughts, struck him in the stomach and face, and threatened him. See Doc. 1 at 5–6. Plaintiff does not name the corrections officer as a Defendant, however. See *id.* at 1–2. Rather, he names only the FDC. *Id.* As relief, he seeks damages. *Id.* at 7.

The Prison Litigation Reform Act (PLRA) requires a district court to dismiss a complaint if the court determines it is frivolous, malicious, or fails to state a claim on which relief may be granted. 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b)(1). Since the PLRA's "failure-to-state-a-claim" language mirrors the language of Rule 12(b)(6) of the Federal Rules of Civil Procedure, courts apply the same standard in both contexts.

Mitchell v. Farcass, 112 F.3d 1483, 1490 (11th Cir. 1997). See also Alba v. Montford, 517 F.3d 1249, 1252 (11th Cir. 2008). "To survive a motion to dismiss, a complaint must contain sufficient

factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citing *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). “Labels and conclusions” or “a formulaic recitation of the elements of a cause of action” that amount to “naked assertions” will not suffice.

Id. (quoting *Twombly*, 550 U.S. at 555). Moreover, a complaint must “contain either direct or inferential allegations respecting all the material elements necessary to sustain a recovery under some viable legal theory.” *Roe v. Aware Woman Ctr. for Choice, Inc.*, 253 F.3d 678, 683 (11th Cir. 2001) (quoting *In re Plywood Antitrust Litig.*, 655 F.2d 627, 641 (5th Cir.

Unit A Sept. 8, 1981)). In reviewing a complaint, a court must accept the plaintiff’s 2 allegations as true, liberally construing those by a plaintiff proceeding pro se, but need not accept as true legal conclusions. *Iqbal*, 556 U.S. at 678. Plaintiff’s Complaint is subject to dismissal under the PLRA because he fails to “state a claim to relief that is plausible on its face.” See *id.* To state a claim under § 1983, a plaintiff must allege that a “person” acting under the color of state law deprived him of a right secured under the United States Constitution or federal law.

The state of Florida, including a state agency such as the FDC, is not a person subject to monetary liability under § 1983. *Gardner v. Riska*, 444 F. App’x 353, 355 (11th Cir. 2011).¹ See also *Will v. Mich. Dep’t of State Police*, 491 U.S. 58, 71 (1989) (holding an official-capacity suit is essentially a suit against the state, which is not a “person[]” under § 1983”).

Because a claim for damages against the FDC is “frivolous,” see *Gardner*, 444 F. App’x at 355, this case will be dismissed without prejudice subject to Plaintiff’s right to initiate a new case if he wants to proceed on any plausible claim(s) against a “person.” Accordingly, it is ORDERED: 1. This case is DISMISSED without prejudice. 1 The Court does not rely on unpublished decisions as binding authority; any unpublished decisions cited in this Order are deemed persuasive authority on the relevant point of law.

See *McNamara v. GEICO*, 30 F.4th 1055, 1061 (11th Cir. 2022). 3 2. The Clerk shall enter judgment dismissing this case without prejudice, terminate any pending motions, and close the file. 3. The Clerk shall send Plaintiff a “Complaint for Violation of Civil Rights (Prisoner)” form. If Plaintiff chooses to initiate a new case by filing a new complaint, he should not put this case number on the form because the Clerk will assign a new case number upon receipt.

DONE AND ORDERED in Jacksonville, Florida, on November 21, 2025. JORDAN E. PRATT
UNITED STATES DISTRICT JUDGE Jax-6 C: Dravian Dravius Darvin Byrd, #K94094